



House of Representatives

General Assembly

File No. 777

January Session, 2009

Substitute House Bill No. 6428

House of Representatives, April 21, 2009

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE OFFENSE OF HUNTING WHILE INTOXICATED AND ESTABLISHING A MARINE WATERS FISHING LICENSE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53-206d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) (1) No person shall carry a pistol, revolver, machine gun,
4 shotgun, rifle or other firearm, which is loaded and from which a shot
5 may be discharged, upon his person (A) while under the influence of
6 intoxicating liquor or any drug, or both, or (B) while the ratio of
7 alcohol in the blood of such person is [ten-hundredths] eight-
8 hundredths of one per cent or more of alcohol, by weight.

9 (2) Any person who violates any provision of this subsection shall
10 be guilty of a class B misdemeanor.

11 (b) (1) No person shall engage in hunting while under the influence
12 of intoxicating liquor or any drug, or both, or while impaired by the

13 consumption of intoxicating liquor. A person shall be deemed under
14 the influence when at the time of the alleged offense the person (A) is
15 under the influence of intoxicating liquor or any drug, or both, or (B)
16 has an elevated blood alcohol content. For the purposes of this
17 subdivision, "elevated blood alcohol content" means (i) a ratio of
18 alcohol in the blood of such person that is [ten-hundredths] eight-
19 hundredths of one per cent or more of alcohol, by weight, or (ii) if such
20 person has been convicted of a violation of this subsection, a ratio of
21 alcohol in the blood of such person that is seven-hundredths of one per
22 cent or more of alcohol, by weight. A person shall be deemed impaired
23 when at the time of the alleged offense the ratio of alcohol in the blood
24 of such person was more than seven-hundredths of one per cent of
25 alcohol, by weight, but less than [ten-hundredths] eight-hundredths of
26 one per cent of alcohol, by weight.

27 (2) Any person who violates any provision of this subsection shall
28 be guilty of a class A misdemeanor.

29 (3) Enforcement officers of the Department of Environmental
30 Protection are empowered to arrest for a violation of the provisions of
31 this subsection.

32 Sec. 2. Section 26-27 of the general statutes is repealed and the
33 following is substituted in lieu thereof (*Effective January 1, 2010*):

34 (a) Except as provided in subsection (b), (c), (e) or (f) of this section
35 and other provisions of this chapter providing specific license
36 exemption, no person shall take, hunt or trap, or shall attempt to take,
37 hunt or trap, or assist in taking, hunting or trapping, any wild bird or
38 mammal and no person more than sixteen years of age shall take,
39 attempt to take, or assist in taking any fish or bait species in the inland
40 waters or marine district by any method or land marine fish and bait
41 species in the state, regardless of where such marine fish or bait species
42 are taken, without first having obtained a license as provided in this
43 chapter. No person under sixteen years of age shall hunt or trap,
44 except as provided in section 26-38.

45 (b) Any landowner who has a domiciliary residence in this state, his
46 spouse or lineal descendants may hunt, trap or fish on land owned by
47 him or on land leased by him and on which he is actually domiciled,
48 which land is not used for club, fishing or hunting purposes, without a
49 license, subject to the provisions of this chapter.

50 (c) No fishing license shall be required for any person who is rowing
51 a boat or operating the motor of a boat from which other persons are
52 taking or attempting to take fish.

53 (d) The taking of fish and bait species as herein provided shall be
54 regarded as sport fishing and the taking or landing of such species in
55 the inland waters or marine district by commercial methods for
56 commercial purposes shall be governed by other provisions of this
57 chapter.

58 (e) No fishing license shall be required for any resident of the state
59 who is participating in a fishing derby authorized in writing by the
60 Commissioner of Environmental Protection provided (1) no fees are
61 charged for such derby, (2) such derby has a duration of one day or
62 less and (3) such derby is sponsored by a nonprofit civic service
63 organization. Such organization shall be limited to one derby in any
64 calendar year.

65 (f) The Commissioner of Environmental Protection may designate
66 one day in each calendar year when no license shall be required for
67 sport fishing.

68 (g) No fishing license shall be required for any person who is fishing
69 as a passenger on a party boat, charter boat or head boat registered
70 under section 26-142a and operating solely in the marine district.

71 Sec. 3. Section 26-28 of the general statutes is repealed and the
72 following is substituted in lieu thereof (*Effective January 1, 2010*):

73 (a) Except as provided in subsection (b) of this section, the fees for
74 firearms hunting, archery hunting, trapping and sport fishing licenses
75 or for the combination thereof shall be as follows: (1) Resident firearms

76 hunting license, [fourteen] eighteen dollars; (2) resident fishing license,
77 [twenty] twenty-five dollars; (3) resident marine waters fishing license,
78 twenty dollars; (4) one-day resident marine waters fishing license, ten
79 dollars; (5) resident all-waters fishing license, thirty dollars; (6)
80 resident combination license to [firearms hunt and] fish in inland
81 waters and firearms hunt, [twenty-eight] thirty-five dollars; [(4)] (7)
82 resident combination license to fish in marine waters and firearms
83 hunt, thirty-five dollars; (8) resident combination license to fish in all
84 waters and firearms hunt, forty-five dollars; (9) resident combination
85 license to fish in all waters and bow and arrow permit to hunt deer and
86 small game issued pursuant to section 26-86c, sixty-five dollars; (10)
87 resident firearms super sport license to fish in all waters and firearms
88 hunt, firearms private land shotgun or rifle deer permit issued
89 pursuant to section 26-86a and permit to hunt wild turkey during the
90 spring season on private land issued pursuant to section 26-48a, as
91 amended by this act, ninety-five dollars; (11) resident archery super
92 sport license to fish in all waters, bow and arrow permit to hunt deer
93 and small game issued pursuant to section 26-86c and permit to hunt
94 wild turkey during the spring season on private land issued pursuant
95 to section 26-48a, as amended by this act, ninety dollars; (12) resident
96 trapping license, [twenty-five] thirty-one dollars; [(5)] (13) resident
97 junior trapping license for persons under sixteen years of age, [three]
98 four dollars; [(6)] (14) junior firearms hunting license, [three] four
99 dollars; [(7)] (15) nonresident firearms hunting license, [sixty-seven]
100 eighty-four dollars; [(8)] (16) nonresident inland waters fishing license,
101 [forty] fifty dollars; [(9)] (17) nonresident inland waters fishing license
102 for a period of three consecutive days, [sixteen] twenty dollars; [(10)]
103 (18) nonresident marine waters fishing license, thirty dollars; (19)
104 nonresident marine waters fishing license for a period of three
105 consecutive days, twenty dollars; (20) nonresident all-waters fishing
106 license, sixty dollars; (21) nonresident combination license to firearms
107 hunt and inland waters fish, [eighty-eight] one hundred ten dollars;
108 [and (11)] (22) nonresident combination license to fish in all waters and
109 firearms hunt, ninety dollars; (23) nonresident combination license to
110 fish in marine waters and firearms hunt, seventy-five dollars; and (24)

111 nonresident trapping license, two hundred fifty dollars. Persons sixty-
112 five years of age and over who have been residents of this state for not
113 less than one year and who meet the requirements of subsection (b) of
114 section 26-31 may be issued [a lifetime] an annual license to firearms
115 hunt or to fish or combination license to fish and firearms hunt or a
116 license to trap without fee. The issuing agency shall indicate on a
117 combination license the specific purpose for which such license is
118 issued. The town clerk shall retain a recording fee of one dollar for
119 each license issued by him.

120 (b) Any nonresident residing in one of the New England states or
121 the state of New York may procure a license to hunt or to fish or to
122 hunt and fish for the same fee or fees as a resident of this state if he is a
123 resident of a state the laws of which allow the same privilege to
124 residents of this state.

125 Sec. 4. Section 26-35 of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective January 1, 2010*):

127 Each firearms hunting, archery hunting, trapping or sport fishing
128 license or the combination firearms hunting and fishing license, except
129 licenses issued pursuant to subdivisions [(7) and (10)] (4), (17) and (19)
130 of subsection (a) of section 26-28, as amended by this act, shall expire
131 December thirty-first next following the date of issue and shall not be
132 transferable. No person shall change or alter such a license or loan to
133 another or permit another to have or use such license issued to himself
134 or use any license issued to another. All licenses shall be carried as
135 designated by the commissioner at all times when such licensee is
136 hunting, trapping or sport fishing and shall be produced for
137 examination upon demand of any conservation officer or other
138 employee of the department designated by the commissioner or any
139 other officer authorized to make arrests or the owner or lessee or the
140 agent of any owner or lessee of any land or water upon which such
141 licensed person may be found. Whenever the commissioner has
142 designated any land or water area a wildlife management study area,
143 he may require such licensee to surrender his license upon entering

144 such area and issue to the licensee an arm band, back tag or other
145 identification. The license shall be returned to the licensee upon
146 leaving such area. Each person receiving a license to hunt or to trap
147 shall make an annual report to the commissioner in such form and at
148 such time as may be required by him showing the numbers and kinds
149 of birds and quadrupeds killed or trapped. A firearms hunting or a
150 combination firearms hunting and fishing license shall not authorize
151 the carrying or possession of a pistol or revolver.

152 Sec. 5. Section 26-37 of the general statutes is repealed and the
153 following is substituted in lieu thereof (*Effective January 1, 2010*):

154 The commissioner, upon written application and the payment of a
155 fee of [seven] nine dollars, shall issue to any person licensed to hunt, to
156 hunt and trap or fish, or the combination thereof, a duplicate license
157 when he is satisfied that the original license of such person has been
158 lost, destroyed or mutilated beyond recognition. No such application
159 form shall contain any material false statement. All such application
160 forms shall have printed thereon, "I declare under the penalties of false
161 statement that the statements herein made by me are true and correct."
162 Any person who makes any material false statement on such
163 application form shall be guilty of false statement and shall be subject
164 to the penalties provided for false statement and such offense shall be
165 deemed to have been committed in the town of residence of the
166 applicant, except that in the case of applications received from
167 nonresidents such offense shall be deemed to have been committed in
168 the town in which such application is presented or received for
169 processing. The town clerk certifying such application form shall
170 receive from the total fee herein specified the sum of one dollar.

171 Sec. 6. Section 26-46 of the general statutes is repealed and the
172 following is substituted in lieu thereof (*Effective January 1, 2010*):

173 (a) If and when the state of New York, the state of Massachusetts or
174 the state of Rhode Island enacts a similar law granting reciprocal
175 privileges to residents of this state, any person who holds a license to
176 fish in the state of New York, the state of Massachusetts or the state of

177 Rhode Island may fish in inland waters lying partly in this state and
178 partly in such adjoining state, or in such waters as negotiated by the
179 Commissioner of Environmental Protection of this state and any
180 similar authority in such adjoining state, without a nonresident inland
181 waters license to fish as required by this chapter; provided such
182 nonresidents shall be subject to all other provisions of the statutes and
183 the regulations of the commissioner relating to fishing in lakes and
184 ponds.

185 (b) If and when the state of New York, the state of Massachusetts,
186 the state of New Hampshire, the state of Maine or the state of Rhode
187 Island enacts a similar law granting reciprocal privileges to residents
188 of this state, any nonresident who holds a marine or all-waters fishing
189 license issued by one of said states having such reciprocal privileges
190 may fish in the marine district or land marine species in Connecticut
191 and shall not be required to purchase a Connecticut nonresident
192 marine or all-waters license. Such nonresidents shall be subject to all
193 other provisions of the statutes and the regulations of the
194 commissioner relating to fishing in the marine district.

195 Sec. 7. Section 26-48a of the general statutes is repealed and the
196 following is substituted in lieu thereof (*Effective January 1, 2010*):

197 (a) The commissioner may establish, by regulations adopted in
198 accordance with the provisions of chapter 54, standards for the
199 management of salmon, migratory game birds in accordance with
200 section 26-92, pheasant and turkey which shall include provision for
201 the issuance of permits, tags or stamps. The commissioner may charge
202 a fee for a permit, tag or stamp as follows: Not more than [fourteen]
203 twenty-eight dollars for turkey; not more than [three] six dollars for
204 migratory game birds; not more than [fourteen] twenty-eight dollars
205 for pheasant and not more than [twenty-eight] thirty-five dollars for
206 salmon. No person shall be issued a permit, tag or stamp for migratory
207 birds, pheasant or turkey without first obtaining a license to hunt and
208 no person shall be issued a permit, tag or stamp for salmon without
209 first obtaining a license to fish. Notwithstanding any provision of any

210 regulation to the contrary, the commissioner may charge a fee of
 211 [fourteen] twenty-eight dollars for the issuance of a permit to hunt
 212 wild turkey on state-owned or private land during the fall season.

213 (b) Such permits, tags or stamps shall be issued to qualified
 214 applicants by any town clerk. Application for such permits, tags or
 215 stamps shall be on such form and require of the applicant such
 216 information as the commissioner may prescribe. The commissioner
 217 may adopt regulations in accordance with the provisions of chapter 54
 218 authorizing a town clerk to retain part of any fee paid for a permit, tag
 219 or stamp issued by such town clerk pursuant to this section, provided
 220 the amount retained shall not be less than fifty cents.

221 Sec. 8. Section 26-15 of the general statutes is repealed and the
 222 following is substituted in lieu thereof (*Effective from passage*):

223 The state of Connecticut assents to the provisions of the Act of
 224 Congress entitled "An Act to Provide that the United States Shall Aid
 225 the States in Wildlife Restoration Projects, and for Other Purposes",
 226 approved September 2, 1937, and the Commissioner of Environmental
 227 Protection is authorized and directed to perform such acts as may be
 228 necessary to the establishment and operation of cooperative wildlife
 229 restoration projects, as defined in said act of congress, in compliance
 230 with said act and with rules and regulations promulgated by the
 231 Secretary of the Interior thereunder, and no funds accruing to the state
 232 from license fees paid by hunters shall be diverted for any other
 233 purpose than the protection, propagation, preservation and
 234 investigation of fish and game and administration of the functions of
 235 the department relating thereto.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	53-206d
Sec. 2	<i>January 1, 2010</i>	26-27
Sec. 3	<i>January 1, 2010</i>	26-28
Sec. 4	<i>January 1, 2010</i>	26-35
Sec. 5	<i>January 1, 2010</i>	26-37

Sec. 6	<i>January 1, 2010</i>	26-46
Sec. 7	<i>January 1, 2010</i>	26-48a
Sec. 8	<i>from passage</i>	26-15

ENV *Joint Favorable Subst. C/R*

JUD

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Department of Environmental Protection	Environmental Conservation Fund - Revenue Gain	2,262,325	2,262,325
Judicial Dept (Probation); Correction, Dept.	GF - Cost	Potential	Potential
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Section 1 of the bill lowers the blood alcohol content level necessary to convict someone of carrying a firearm while intoxicated or hunting while intoxicated.¹ To the extent that offenders are prosecuted criminally and subsequently convicted or plead guilty, the state could incur a cost associated with incarceration and/or probation supervision in the community. On average, it costs the state \$3,736 to supervise an offender on probation in the community as compared to \$44,165 to incarcerate the offender. Any revenue gain from criminal fines imposed is anticipated to be minimal.

Section 3 of the bill results in a revenue gain of \$2.1 million in FY 10 and FY 11 to the Conservation Fund² since it creates new license types for fishing and increases other license fees for fishing and hunting.

¹ The maximum penalty for an offense is a fine of \$1,000 and/or six months in prison. Between 2002 and 2007, there were 18 convictions under CGS 53-206d(a), which covers carrying a firearm while intoxicated, and zero convictions under CGS 53-206d(b), which provides the penalty for hunting while intoxicated.

² sHB 6365 (the budget bill as favorably reported by the Appropriations Committee on 4/2/09) shifts Conservation Fund costs to the General Fund.

This revenue gain is driven mostly by the creation of a new license type for marine fishing and all-waters fishing. The new license types and increase in existing licenses is detailed in the table below³:

Section 3: Projected Revenue Increase from Proposed Changes to CGS 26-28						
License Type	Current License Fees (\$)	Licenses Sold in FY 08 (#)	FY 08 Revenue (\$)	Proposed New License Fee FY 10 & FY 11 (\$)	Projected Licenses FY 10 & FY 11 (#)	Projected Revenue FY 10 & FY 11 (\$)
Inland Fishing	20	108,197	2,163,940	25	64,500	1,612,500
Marine Fishing	0	0	0	20	67,000	1,340,000
One-day Marine Fishing	0	0	0	10	0	0
All-Waters Fishing	0	0	0	30	35,500	1,065,000
Combination Inland Fishing and Firearms Hunting	28	40,198	1,125,544	35	35,000	1,225,000
Combination Marine Fishing and Firearms Hunting	0	0	0	35	0	0
Combination All-Waters and Firearms Hunting	0	0	0	45	0	0
Combination All-Waters and Archery Hunting	0	0	0	65	0	0
Firearms Hunting	14	10,523	147,322	18	9,500	171,000
Firearms Supersport: All-Waters Fishing, Firearms Hunting, private land shotgun or rifle deer permit, turkey	0	0	0	95	0	0

³ For new license categories, projections cannot be determined at this time as to how many licenses would be purchased and a zero figure was used.

private land spring permit						
Archery Supersport: All-Waters Fishing, Archery Hunting and deer permit, turkey private land spring permit	0	0	0	90	0	0
Trapping	25	451	11,275	31	400	12,400
Junior Trapping	3	104	312	4	312	1,248
Junior Firearms Hunting	3	35	105	4	35	140
Nonresident Inland Fishing	40	5,743	229,720	50	5,000	250,000
Nonresident Marine Fishing	0	0	0	30	2,000	60,000
Nonresident All-Waters Fishing	0	0	0	60	1,000	60,000
Nonresident Inland Fishing - 3 Day	16	4,360	69,760	20	4,000	80,000
Nonresident Marine Fishing - 3 Day	0	0	0	20	0	0
Nonresident combination Inland Fishing and Firearms Hunting	88	432	38,016	110	350	38,500
Nonresident combination Marine Fishing and Firearms Hunting	0	0	0	75	0	0
Nonresident Combination All-Waters	0	0	0	90	0	0

and Firearms Hunting						
Nonresident Firearms Hunting	67	1,927	129,109	84	1,500	126,000
Nonresident Trapping	200	3	600	250	3	750
Total			3,915,703			6,042,538

Projected Revenue Increase FY 10 & FY 11	\$2,126,835
(difference between current revenue & projected revenue)	

Section 5 results in an increase of \$40 in FY 10 and FY 11 to the Conservation Fund due to an increase, from \$7 to \$9, for issuance of a duplicate license for hunting, trapping, fishing, or a combination license. In FY 08, there were 20 duplicate licenses issued.

Section 7 would result in an increase of \$135,490 to the Conservation Fund from the increase in various hunting permit fees and tags. These increases are detailed in the table below:

Section 7: Projected Revenue from Proposed Changes to CGS 26-48a						
License Type	Current License Fees (\$)	Licenses Sold in FY 08 (\$)	FY 08 Revenue (\$)	Proposed New License Fee FY 10 & FY 11 (\$)	Projected Licenses Sold FY 10 & FY 11 (#)	Projected Revenue FY 10 & FY 11 (\$)
Spring Turkey permit	14	4,441	62,174	28	3,500	98,000
Fall Turkey Permit	14	6,192	86,688	28	5,000	140,000
Migratory gamebird permit	3	0	0	6	5,000	30,000
Pheasant tags	14	6,332	88,648	21	5,000	105,000
Salmon tags	28	0	0	35	0	0
Total			237,510			373,000

Projected Revenue Increase FY 10 & FY 11	\$135,490
(difference between current revenue & projected revenue)	

Lastly, **Section 8** stipulates that all fees flowing to the state derived from license fees paid by hunters must be used for the protection, propagation, preservation and investigation of fish and game and administration of the department. This is necessary in order to retain \$2.3 million in federal funding in FY 10 and FY 11 from the US Department of the Interior's Fish and Wildlife Service's Pittman-Robertson Wildlife Restoration Funds program.

The Out Years

The annualized ongoing revenue impact identified above to the Conservation Fund would continue into the future subject to the number of licenses sold and subject to inflation. The annualized ongoing revenue impact identified above to the Judicial Department would remain constant into the future since fine amounts are set by statute.

OLR Bill Analysis**sHB 6428*****AN ACT CONCERNING THE OFFENSE OF HUNTING WHILE INTOXICATED AND ESTABLISHING A MARINE WATERS FISHING LICENSE.*****SUMMARY:**

This bill lowers, from 0.10% to 0.08%, the blood alcohol content level for the offenses of (1) carrying a firearm while intoxicated and (2) hunting while intoxicated. A violation of the former is a class B misdemeanor, punishable by a prison term of up to six months, a fine of up to \$1,000, or both. A violation of the latter is a class A misdemeanor, punishable by a prison term of up to one year, a fine of up to \$2,000, or both. By law, the Department of Environmental Protection (DEP) commissioner may indefinitely suspend the hunting license of a person convicted of hunting while intoxicated (CGS § 217e (h)).

The bill creates new license requirements and fees for sport fishing in the marine district (the salt portion of a line roughly demarcating salt and freshwater fishing areas) and adjusts sport fishing license reciprocity with area states accordingly. It exempts from the marine district license requirement (1) anyone who is fishing as a passenger on a registered party, charter, or head boat that operates solely in the marine district and (2) commercial fishers.

The bill increases various existing hunting and fishing license fees (see Table 1 below). It requires annual renewal of the free sport fishing and hunting license for eligible people over age 65. Under current law, the free license is valid for the person's lifetime.

The bill also prohibits diverting hunting license fees for any purpose other than the DEP's charge to protect, propagate, preserve, and

investigate fish and game and its administration of the department.

It makes conforming and technical changes.

EFFECTIVE DATE: January 1, 2010, except for the hunting while intoxicated threshold change, which becomes effective October 1, 2009.

MARINE DISTRICT SPORT FISHING LICENSE

The bill requires anyone age 16 or older to obtain a license for sport fishing in the marine district (commercial fishing requires a different license); specifically, the marine district sports fishing license allows a person to take fish in the marine district or land marine fish and bait species in the state, regardless of where taken. Under current law, people engaged in sport fishing need a fishing license only for taking fish in inland waters.

New Marine Waters Licenses and Fees

The bill creates the following licenses and fees based on the addition of a marine district sport fishing license requirement:

1. a resident marine sports fishing license (\$20);
2. one-day resident marine waters sport fishing license (\$10);
3. resident all waters sport fishing license (\$30);
4. resident combination marine waters sport fishing and firearms hunting license (\$35);
5. resident combination all-waters sport fishing and firearms hunting license (\$45);
6. resident combination all-waters sport fishing license and bow and arrow permit to hunt deer and small game (\$65);
7. resident firearms super sport license to fish in all waters and firearms hunt, firearms private land shotgun or rifle deer permit, and permit to hunt wild turkey during spring season on private land (\$95);

8. resident archery super sport license to fish in all waters, bow and arrow permit to hunt deer and small game, and permit to hunt wild turkey during spring season on private land (\$90);
9. nonresident marine waters sport fishing license (\$30);
10. nonresident marine waters fishing license for three consecutive days (\$20);
11. nonresident all-waters fishing license (\$60);
12. nonresident combination license to fish in all waters and firearms hunt (\$90); and
13. nonresident combination license to fish in marine waters and firearms hunt (\$75).

State Fishing License Reciprocity

By law, Massachusetts, Rhode Island, and New York residents may fish for free in certain Connecticut waters without a nonresident license, if their state allows the same (reciprocal) privilege for Connecticut citizens. The bill specifies that this law refers to inland waters that lie both in Connecticut and the reciprocating state. It also creates a reciprocal arrangement for marine water licenses should Maine, Massachusetts, New Hampshire, New York, or Rhode Island enact reciprocal laws or regulations for marine water fishing licenses (none of these states currently has a marine water license). Under the bill, as under current law, residents of other states are subject to other applicable federal or state fishing laws under any reciprocal agreements.

HUNTING AND FISHING FEES AND INCREASES

Table 1 below provides various hunting and fishing license and permit fee descriptions and the corresponding fee amount under current law (where applicable) and those proposed under the bill.

TABLE 1: PROPOSED FEES AND FEE INCREASES

Bill	Fee Description	Current	Proposed
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Section			
3	Resident firearms hunting license	14	18
3	Resident inland waters sport fishing license	20	25
3	Resident combination inland waters and firearms hunting license	28	35
3	Resident trapping license	25	31
	Resident junior trapping license fee for people under age 16	3	4
3	Junior firearms hunting license	3	4
	Nonresident firearms hunting license	67	84
3	Nonresident inland waters fishing license	40	50
3	Nonresident inland waters fishing license for three consecutive days	16	20
3	Nonresident combination license to firearms hunt and inland waters fish	88	110
3	Nonresident trapping license	200	250
5	Replacement hunting, trapping, fishing, or combination license	7	9
7	Turkey permit (amounts listed are the maximum fee amount the commissioner may charge)	14	28
7	Migratory bird stamp (amounts listed are the maximum fee amount the commissioner may charge)	3	6
7	Pheasant Tags (amounts listed are the maximum fee amount the commissioner may charge)	14	28
7	Salmon permit (amounts listed are the maximum fee amount the commissioner may charge)	28	35
7	Permit to hunt wild turkey on state-owned or private land	14	28

The bill specifies that all but three hunting and fishing licenses expire annually on December 31. The exceptions are a one-day resident marine fishing license that the bill creates, which expires after one day, and under existing law, two nonresident/three-consecutive-day licenses expire after the allotted time.

BACKGROUND

Federal Registry

In December 2008, the National Oceanographic and Atmospheric Administration (NOAA) Fisheries Service released its final rule to create a national saltwater angler registry of all marine recreational fishing, as required under the Magnuson-Stevens Fishery Conservation and Management Act reauthorization, which became law in January 2007 (16 USC §§ 1801-1884). The final rule requires anglers and spear-fishers who fish recreationally in federal ocean waters to be included in the national saltwater angler registry by

January 1, 2010. NOAA will impose a fee beginning January 1, 2011. However, NOAA will exempt anglers from the federal registration rule if they are licensed in states that have a system to provide complete information on their saltwater anglers to the national registry (exemptions begin January 2009). The goal of the registry is to better protect shared marine resources, according to NOAA.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute Change of Reference

Yea 27 Nay 2 (03/13/2009)

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (04/03/2009)